



Docket: T3392-907823

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of	:	Confirmation No.: 5426
	:	
David A. STOUT et al.	:	Examiner: Duane S. SMITH
	:	
Serial No.: 10/015,583	:	Group Art Unit: 1724
	:	
Filed: December 17, 2001	:	
	:	
For: System and Method for Removing	:	
Contaminates from the Air in a Mail-Sorting	:	
Room	:	
	:	McLean, Virginia

**DECLARATION OF PRIOR INVENTION TO
OVERCOME CITED PUBLICATION UNDER 37 C.F.R. § 1.131(a)**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

We, William R. Lehman and David A. Stout, hereby declare that:

1. This Declaration is submitted as evidence that: we conceived and reduced to practice in the United States the subject matter of the rejected claims in the above-identified application for patent prior to the filing date of cited U.S. Patent No.

6,737,029 B2 (hereinafter the "'029 Patent") that was relied upon to reject the claims of the present application.

2. The '029 Patent was filed on August 20, 2002, and claimed priority to a provisional application No. 60/337,648, filed on December 7, 2001.

3. We conceived of and reduced to practice in the United States the invention claimed in the above-identified Application Serial No. 10/015,583, and which was shown and described in the attached web page printout (Exhibit A) prior to December

7, 2001. In addition, we sold an embodiment of the presently claimed invention to and installed it at Pennzoil-Quaker State Company, Houston, Texas, as shown by our invoice (Exhibit B) to Pennzoil-Quaker State Company prior to December 7, 2001, and less than one year before the filing date of the present application. Copies of color photographs of front and side perspective views of the actual unit installed at Pennzoil-Quaker State prior to December 7, 2001, are included (Exhibits C and D, respectively). Exhibits A, C and D clearly show the air decontamination system recited in Claims 1 and 15 and shown in FIG. 1 has been reduced to practice and includes a sealed mail processing area (7) (indicated by Arrow #1A) with an air inlet (Arrow #1B), a vacuum unit (3) (Arrow #2), a work surface (2) (Arrow #3), and a filter unit (4) (Arrow #4).

4. We declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.


Date: 4-25-05

Date: 4-25-05

Signed: 

William R. Lehman

By: David A. Stout, President
American Safe Air, Inc.

Signed: 

David A. Stout

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